

ASSEMBLY BILL

No. 1041

Introduced by Assembly Member Umberg

February 22, 2005

An act to add Chapter 4 (commencing with Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to professional sports.

LEGISLATIVE COUNSEL'S DIGEST

AB 1041, as introduced, Umberg. Advertising disclosures.

Existing law regulates advertising practices and other representations made to the public in connection with business activities.

This bill would require, except as specified, a professional sports franchise that includes in its name a geographic location where it does not participate in a plurality of its sporting events, to disclose this matter to the public.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4 (commencing with Section 17800) is
2 added to Part 3 of Division 7 of the Business and Professions
3 Code, to read:

4
5 CHAPTER 4. TRUTH IN SPORTS ADVERTISING

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7 17800. This chapter shall be known and may be cited as the
8 "Truth in Sports Advertising Act."

1 17801. A professional sports franchise that includes a
2 geographic location in its name and that does not participate, or
3 is not scheduled to participate, in a plurality of its sporting events
4 during a calendar year in the geographic location used in its name
5 shall, on all tickets, advertisements, and promotional materials,
6 include at the top or bottom on the front side or surface of the
7 item a notice in at least 12-point roman boldface type font,
8 indicating that the franchise does not regularly participate in
9 sporting events in the geographic location indicated by its name,
10 and disclosing the city, county, or city and county in which the
11 franchise participates, or is scheduled to participate, in a plurality
12 of its sporting events during that calendar year. If the
13 advertisement or promotional material appears on a billboard, the
14 notice shall be in a type having letters that are 12 inches in
15 height. If the advertisement or promotional material appears on a
16 transportation vehicle, the notice shall be in a type having letters
17 that are seven inches in height. If the advertisement or
18 promotional material is broadcast on television, the notice shall
19 be in a 12-point roman boldface type font and appear for a
20 minimum of five seconds on a dark background. If the
21 advertisement or promotional material is broadcast on the radio,
22 the notice shall be read at an understandable pace without
23 competing loud music or sound effects.

24 17802. A professional sports franchise is not required to
25 provide the notice under Section 17801 if the governing body of
26 the city, county, or city and county where the franchise
27 participates in a plurality of its sporting events during the
28 calendar year excuses the franchise from that requirement.